

A MEETING OF THE BOARD OF COMMISSIONERS OF THE CITY OF JOHNSON CITY, TENNESSEE was held in the Commission Chambers of the Municipal and Safety Building, 601 East Main Street, Johnson City, Tennessee on Thursday, July 16, 2015.

PRESENT: Mayor Ralph Van Brocklin, Vice-Mayor Clayton Stout, Commissioners Jeff Banyas, Jenny Brock and David Tomita, Charles Stahl, IV, Assistant City Manager, for Pete Peterson, City Manager, and Janet Jennings, City Recorder.

Mayor Ralph Van Brocklin called the meeting to order at 6:00 p.m.

At this time, Dale Cunningham, Senior Pastor, Boones Creek Bible Church, gave the invocation, which was followed by the pledge of allegiance.

Upon motion by Commissioner Jeff Banyas, seconded by Commissioner Jenny Brock, the following resolution was offered for adoption. The motion **carried** by five ayes. There were no nay votes.

BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE CITY OF JOHNSON CITY, That the pulling of the consideration of one (1) appointment to the Board of Dwelling Standards and Review from the agenda, be and the same is hereby approved.

Upon motion by Vice-Mayor Clayton Stout, seconded by Commissioner Jenny Brock, the following resolution was offered for adoption. The motion **carried** by four ayes. Commissioner Jeff Banyas abstained from the vote. There were no nay votes.

BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE CITY OF JOHNSON CITY, That the minutes of the regularly scheduled City Commission Meeting held on Thursday, July 2, 2015, be and the same are hereby approved.

At this time, Mayor Ralph Van Brocklin opened the public input session. No one spoke.

Upon motion by Commissioner David Tomita, seconded by Vice-Mayor Clayton Stout, the following resolution was offered for adoption. The motion **carried** by five ayes. There were no nay votes.

BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE CITY OF JOHNSON CITY, That a Certificate of Compliance for Christian Claiborne, d/b/a Alpine Package Store, 308 North Broadway, Johnson City, Tennessee, be and the same is hereby approved. Christian Claiborne was present.

Upon motion by Mayor Ralph Van Brocklin, seconded by Vice-Mayor Clayton Stout, the following resolution was offered for adoption. The motion **carried** by five ayes. There were no nay votes.

BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE CITY OF JOHNSON CITY, That the appointment of James Tinner to the Johnson City Housing Authority, with his term expiring October 1, 2017, be and the same is hereby approved.

Upon motion by Commissioner Jenny Brock, seconded by Commissioner David Tomita, the following resolution was offered for adoption. The motion **carried** by five ayes. There were no nay votes.

BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE CITY OF JOHNSON CITY, That a street closing from 5:00 p.m. until 9:05 p.m. on Friday, August 14, 2015, as requested by UMOJA Arts and Cultural, Inc. for the UMOJA Festival 5K Road Race, be and the same is hereby approved. Wayne Robertson, UMOJA Festival Committee member was present.

Upon motion by Vice-Mayor Clayton Stout, seconded by Commissioner Jenny Brock, the following resolution was offered for adoption. The motion **carried** by five ayes. There were no nay votes.

BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE CITY OF JOHNSON CITY, That a street closing from 9:30 a.m. until 10:45 a.m. on Saturday, August 15, 2015, as requested by UMOJA Arts and Cultural, Inc. for the UMOJA Festival Parade, be and the same is hereby approved. Wayne Robertson, UMOJA Festival Committee member was present.

Upon motion by Commissioner David Tomita, seconded by Commissioner Jeff Banyas, the following resolution was offered for adoption. The motion **carried** by five ayes. There were no nay votes.

BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE CITY OF JOHNSON CITY, That a street closing from 5:00 p.m. on Thursday, August 13, 2015 until Midnight on Sunday, August 16, 2015, as requested by UMOJA Arts and Cultural, Inc. for the UMOJA Festival, be and the same is hereby approved. Wayne Robertson, UMOJA Festival Committee member was present.

Upon motion by Commissioner David Tomita, seconded by Commissioner Jenny Brock, the following resolution was offered for adoption. The motion **carried** by five ayes. There were no nay votes.

BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE CITY OF JOHNSON CITY, That the Consent Agenda for July 16, 2015, be and the same is hereby approved.

CONSENT AGENDA:

A. GENERAL:

i. Finance Department

Consider Endorsement of Revised Hotel Occupancy Tax Report

ii. Police Department

Consider a Memorandum of Understanding between the City of Johnson City, administrating the Johnson City/Washington County Family Justice Center, and East Tennessee State University on behalf of its Department of Public Safety

iii. Development Services

Consider review and approval of the FY 2015-2016 CDBG Homeowner Rehabilitation Program Contract between the City of Johnson City and the First Tennessee Development District in the amount of \$247,825.00

iv. Development Services

Consider review and approval of the FY 2015-2016 CDBG Homeowner Rehabilitation/Reconstruction Program Contract between the City of Johnson City and the Appalachia Service Project, Inc. in the amount of \$32,000.00

v. Purchasing

Consider declaring Finance Department Postage Meter as surplus

vi. Administration

Consider approval of the Project Management Agreement with Burleson Construction Company, Inc. for improvements to the Freedom Hall Civic Center in the amount of \$11,121,000.

B. INVOICES:

- i. The TML Pool\$42,522.73
Risk Management
Liability Claims for June 2015
Funding Source: Budgeted Expense & Insurance Fund Liability Reserve
- ii. J. E. Green.....\$158,437.99
Finance ~ Pay Application #12
New Fieldhouse at Kermit Tipton Stadium
Funding Source: Loan Proceeds
- iii. Baker's Construction Services, Inc.....\$154,421.72
Public Works
Boys and Girls Club-Athletic Field Reconstruction
Funding Source: Economic Development Fund
- iv. Trademark of VA, Inc.\$139,728.54
Public Works ~ Pay Application No. 5
Johnson City Farmers Market
Funding Source: TIF and General Fund
- v. E. Luke Greene.....\$27,700.00
Public Works ~ Final Payment
Demolition of former Bolton Block Building
Funding Source: Solid Waste Municipal Fund
- vi. Wiedeman & Singleton\$8,340.00
Water & Sewer ~ Task Order #8
Watauga Water Plant Hypochlorite Disinfection Conversion
Funding Source: Water/Sewer Bond Fund
- vii. CDM Smith\$122,654.13
Water & Sewer
Brush Creek & Knob Creek Wastewater Treatment Plant Improvement
Funding Source: Water/Sewer Bond Fund

viii. Tank Industry Consultants.....\$897.50

Water & Sewer ~ Work Order #34

Rehabilitation of Eastman Standpipe

Funding Source: Water/Sewer Budgeted Expense

ix. Gresham Smith & Partners.....\$2,125.30

Water & Sewer

Indian Ridge Road Water & Sewer Relocation

Funding Source: Water/Sewer Budgeted Expense

x. Littlejohn Engineering Associates\$9,572.50

Water & Sewer ~ Task Order #3

Cash Hollow Sewer Rehabilitation

Funding Source: Water/Sewer Budgeted Expense

C. BIDS:

i. ITB #5926

Contractor's Machinery Tri-Cities.....\$85,420.00

Water & Sewer

Backhoe/Loader

Funding Source: Rate Funded Capital

TABULATION OF BIDS
CITY OF JOHNSON CITY, TENNESSEE
MAY 27, 2015
ITB #5926 BACKHOE/LOADER
MINI-EXCAVATOR - W/S

Vendor	Backhoe/Loader (1/EA)	Make/Model	Mini-Excavator (1/EA)	Make/Model	Optional Trailer Mini-Excavator (1/EA)
Contractor's Machinery Tri-Cities	84,833.00	Case 580 Super N	x	x	x
	1587.00 - 3yr ext warranty				
West Hills Tractor	85,336.00	New Holland B95C Tier 4B	49,115.00	New Holland E35B Tier 4	8,600.00
West Hills Tractor (Alternate)	85,336.00	New Holland B95C Tier 4B	46,245.00	Takeuchi TB240	8,600.00
Stowers Machinery	85,828.26	CAT 420F2	52,351.50	CAT 304EZ	10,245.06
Bobcat of the Mountain Empire	x	x	43,762.00	Bobcat E-35 A31	6,610.00
Bobcat (Alternate)	x	x	44,694.00	Bobcat E-35 A51	6,610.00
<small>x = No Bid No Bids: Power Equipment Company, Ditch Witch Equipment of TN, Garrett Consulting, North-Great Lakes, Mid-South Equipment, Exporquillo, Cumberland Tractor & Equipment</small>					
RECOMMEND ACCEPTANCE OF LOW BID FOR BACKHOE/LOADER, CIRCLED ABOVE. TOTAL COST PLUS EXTENDED WARRANTY: \$85,420.					
MINI-EXCAVATOR TO BE RE-BID WITH REVISED SPECIFICATIONS.					

ii. ITB #5930

Burleson Construction Company.....\$485,343.00

Water & Sewer

State of Franklin Booster Station

Funding Source: Debt Funded Project

City of Johnson City, Tennessee
State of Franklin Road Booster Station Improvements
Bid No. 5930
Certified Bid Tabulation

Bidder	Lump Sum
Burleson Construction Company, Inc.	\$ 485,343.00
King General Contractors, Inc.	\$ 558,398.65

iii. ITB #5941

Howard Fertilizer & Chemical Co.\$37,950.00

Park & Recreation ~ Golf

Perennial Ryegrass Seed

Funding Source: Budgeted Expense

TABULATION OF BIDS
CITY OF JOHNSON CITY, TENNESSEE
JULY 6, 2015
BID #5941 – PARKS & RECREATION AND GOLF COURSE
PERENNIAL RYEGRASS SEED

	<u>33,000 LBS</u> (Per LB)	<u>Total</u>
Washington Farmer's Co-op	1.394	46,002.00
BWI-Greenville/Spartanburg	1.159	38,247.00
Sigma Organics, Inc.	1.41	46,530.00
John Deere Landscapes Freight	1.335	44,055.00 3,750.00
Howard Fertilizer & Chemical Co.	1.15	37,950.00
Local Plant Source, Inc.	1.71	56,430.00
Pennington Seed, Inc.	1.25	41,250.00
Green Seed Company	1.28	42,240.00

Decline: Landscape Supply, Inc.No Response: Ladd's Inc., Helena Chemical Co.

RECOMMEND ACCEPTANCE OF LOW BID, AS CIRCLED ABOVE.

At this time, a public hearing was held regarding the Plan of Services Progress Report for the following: Benedict, Walnut Hill, Hawk III, Murray, Kite, Keplinger, Arwood Estates, Kalogeros, New Frontier LLC, I-26, Piney Flats, Timberlake Road, Landy, Isenberg, Suncrest, Old Boones Creek, 6315 Kingsport Highway, and Willow's Ridge Phase 3 Annexation Areas. No one spoke for or against this item. No further action was required.

At this time, a public hearing was held regarding Ordinance No. 4586-15. No one spoke for or against this item.

Upon motion by Commissioner Jenny Brock, seconded by Commissioner Jeff Banyas, **Ordinance No. 4586-15**, "SUPPLEMENTAL BUDGET ORDINANCE FOR FISCAL YEAR 2015-2016," was ***passed on first reading***. The motion ***carried*** by five ayes. There were no nay votes.

Upon motion by Commissioner Jeff Banyas, seconded by Commissioner David Tomita, **Ordinance No. 4583-15**, "AN ORDINANCE AUTHORIZING THE CITY OF JOHNSON CITY TO ENTER INTO A FRANCHISE AGREEMENT TO ALLOW SUNSET DIGITAL COMMUNICATIONS TO PERFORM WORK WITHIN THE CITY'S RIGHT-OF-WAY," was ***passed on second reading***. The motion ***carried*** by five ayes. There were no nay votes.

At this time, a public hearing was held regarding Ordinance No. 4584-15. No one spoke for or against this item.

Upon motion by Vice-Mayor Clayton Stout, seconded by Commissioner Jenny Brock, **Ordinance No. 4584-15**, "AN ORDINANCE TO AMEND THE ZONING ORDINANCE REGARDING SUBMITTAL AND REVIEW REQUIREMENTS OF TRANSMISSION TOWERS," was ***passed on second reading***. The motion ***carried*** by five ayes. There were no nay votes.

Upon motion by Commissioner Jenny Brock, seconded by Commissioner Jeff Banyas, **Ordinance No. 4585-15**, "AN ORDINANCE TO ABANDON A PORTION OF THE RIGHT-OF-WAY LOCATED OFF ALAN STREET AND BEHIND 512 DYER STREET," was ***passed on second reading***. The motion ***carried*** by five ayes. There were no nay votes.

Upon motion by Commissioner Jenny Brock, seconded by Commissioner Jeff Banyas, **Ordinance No. 4587-15**, "AN ORDINANCE TO ALLOW THE CITY OF JOHNSON CITY TO ENTER INTO A SALES AGREEMENT TO CONVEY 208 EAST MAIN STREET TO SANJAY BAKSHI," was ***passed on second reading***. The motion ***carried*** by five ayes. There were no nay votes.

Upon motion by Commissioner David Tomita, seconded by Commissioner Jeff Banyas, the following resolution was offered for adoption. The motion ***carried*** by five ayes. There were no nay votes.

BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE CITY OF JOHNSON CITY, That committing of revenues received from East Tennessee State University (ETSU) for the Kermit Tipton Stadium Lease, for future stadium improvements, including lighting, be and the same is hereby approved.

At this time, a motion made by Mayor Ralph Van Brocklin to accept the recommendation of the JCDA for the naming of the multi-use pavilion located at Founders Park as "The Pavilion at Founders Park," ***died*** for the lack of a second.

At this time, a motion made by Commissioner David Tomita to ***defer*** the consideration of the naming of the multi-use pavilion located at Founders Park was ***withdrawn***.

Upon motion by Mayor Ralph Van Brocklin, seconded by Vice-Mayor Clayton Stout, the following resolution was offered for adoption. The motion **carried** by five ayes. There were no nay votes.

BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE CITY OF JOHNSON CITY, That the naming of the multi-use pavilion located at Founders Park as "The Pavilion at Founders Park," as recommended by the JCDA, be and the same is hereby approved.

At this time, Assistant City Manager Charles Stahl, IV, presented the City Manager's Report.

COMMISSION CONCERNS:

1. Commissioner David Tomita requested that during the next Commission Agenda meeting, the Commission discuss School Consolidation and the creation of a joint task force, comprised of officials and citizens from the City and County, to research and present facts back to the City Commission and County Commission.

There being no further business or discussion, Mayor Ralph Van Brocklin adjourned the meeting at 7:09 p.m.

RALPH VAN BROCKLIN
MAYOR

JANET JENNINGS
CITY RECORDER

ITEMS DEFERRED:

1. None.

PULLED ITEMS:

1. Consideration of one (1) appointment to the Board of Dwelling Standards and Review

ACTION ITEMS:

1. Commissioner David Tomita requested that during the next Commission Agenda meeting, the Commission discuss School Consolidation and the creation of a joint task force, comprised of officials and citizens from the City and County, to research and present facts back to the City Commission and County Commission.